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**LEGAL PROCESS, PROFESSIONALISM &  
ETHICS (LPPE)**

**FIRST YEAR 2013-2014**

**VOLUME 1**

**FALL 2013**

**Professor Ayelet Shachar**

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UNIVERSITY OF  
**TORONTO**  
FACULTY OF LAW

*LEGAL PROCESS, ETHICS, AND PROFESSIONALISM (LPPE)*  
*First Year 2013-2014*

**PROFESSOR AYELET SHACHAR**

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This course provides an introduction to legal process, professionalism and ethics, with special emphasis on civil litigation. The adversary system is considered from competing perspectives and alternative models of dispute resolution are compared. Topics covered with respect to civil litigation include standing, intervention, limitation periods, discovery and privilege, multi-party litigation, and class actions. We will also examine the doctrines of territorial jurisdiction, *forum non conveniens*, and choice of law. A recurring focus of the course will be the economics of litigation, access to justice, and the rise of transnational and cross-border litigation. Special emphasis will be placed on addressing the fundamentals of legal process and legal ethics in a broader theoretical context.

The course will consist of three parts. The first part will provide an introduction to the rise of the legal profession, civil litigation, alternative dispute resolution, and procedure matters. The second part will focus on the civil litigation process. In this context, we will analyze the most revolutionary form of litigation to emerge in the last century – class proceedings, which provide a means of addressing certain harms for which conventional litigation is inappropriate. The focus, during all of these discussions, will be on the rationales for the rules, standards, and doctrines that govern legal procedure, in light of the various interests that must be accommodated: the plaintiff's desire to be heard, the defendant's wish to avoid needless litigation, the efforts of non-parties to have their interests represented, the needs of potential future litigants to have the law clearly set out on the basis of accurate information, and the public's demand for an effective and efficient system. Not all of these demands can be accommodated at the same time. We will discuss the rationales for the current system and the potential for reform. The third and final part of the course will highlight the new frontiers of legal process, focusing on the relationship among domestic and international law and justice.



## Reading Materials

The reading material is assembled in a course packet, *Legal Process, Ethics & Professionalism*, 2 volumes, edited by Professor Shachar (Faculty of Law, University of Toronto, 2013). The course packet is available for purchase at the bookstore in the basement of the Law School. Additional copies will be placed on short-term reserve at the Bora Laskin Law Library and are available on Blackboard.

## Evaluation

Attendance and class participation and a two-hour open-book final examination, which may include an essay to be completed in advance and turned in with the final exam.

### 1. INTRODUCTION TO THE COMMON LAW SYSTEM AND CIVIL JUSTICE

#### 1.1 The Rise of the Legal Profession

Categories of Law.....	1
Rosalie Silberman Abella, "The Law Society of Upper Canada: Professionalism Revisited," October 14, 1999.....	2
Amy Salyzyn, "Canada: Foreclosures, Freeman, Foreign Law Schools, and the Continuing Search for Meaningful Access to Justice" 16 <i>Legal Ethics</i> 223 (2013).....	10

#### 1.2 Civil Litigation and Process Matters

Oscar Chase, <i>Law, Culture and Ritual: Disputing Systems in Cross-Cultural Context</i> (NYU Press, 2005).....	18
Kenneth Scott, "Two Models of the Civil Process," 27 <i>Stanford Law Review</i> 937 (1975)...	19

#### 1.3 Alternative Dispute Resolution Processes I

Roger Fisher and William Ury, <i>Getting to Yes: Negotiating Agreement Without Giving In</i> (Penguin, 2 <sup>nd</sup> ed., 1991).....	23
Julie Macfarlane, <i>The New Lawyer: How Settlement is Transforming the Practice of Law</i> (UBC Press, 2008) .....	30
ADR Institute of Ontario, "What is Mediation"; "What is Arbitration"; "How the Different Processes Work" .....	36
Owen M. Fiss, "Against Settlement" (1984) 98 <i>Yale Law Journal</i> 1073.....	39

#### 1.4 Alternative Dispute Resolution Processes II

"Mediating Multiculturally: Culture and the Ethical Mediator" in <i>Mediation Ethics: Cases and Commentaries</i> , Ellen Waldman ed. (Jossey-Bass, 2011).....	43
Arbitration Act, 1991, S.O. 1991, ch. 17, ss. 6, 17-20.....	53
Judy Van Rhijn, "First Steps Taken for Islamic Arbitration Board," <i>Law Times</i> , November 24, 2003.....	55
The Canadian Society of Muslims News Bulletin, <i>Darul-Qada: Beginnings of Muslim Civil Justice System in Canada</i> (April 2003).....	56
Canadian Council of Muslim Women, <i>Position Statement on the Proposed Implementation of Sections of Muslim Law [Sharia] in Canada</i> (May 2004).....	59
Marion Boyd, "Religiously-Based Alternative Dispute Resolution: A Challenge to Multiculturalism," <i>Canadian Diversity: Religious Pluralism, International Approaches</i> .....	66
Ministry of the Attorney General, "Backgrounder: The Family Statute Law Amendment Act" (2005).....	70
Family Arbitration, Ontario Regulation, 134/07 (2008).....	72

#### 1.5 Legal Formalism and Alternative Jurisprudential Conceptions

Lon L. Fuller, "The Case of the Speluncean Explorers," 112 <i>Harvard Law Review</i> (1999, originally published in 1949).....	78
"The Far Side" (Far Works Inc., 1981).....	103
Patricia Williams, <i>The Alchemy of Race and Rights</i> (Harvard University Press, 1991), 146-148.....	104

#### 1.6 Legal Professionalism and Ethics

Jerold S. Auerbach, <i>Unequal Justice: Lawyers and Social Change in Modern America</i> (Oxford University Press, 1976).....	107
Adam Dodek, "Regulating Law Firms in Canada," 90 <i>Canadian Bar Review</i> 383 (2011).....	110

Allan C. Hutchinson, <i>Legal Ethics and Professional Responsibility</i> (Irwin Law, 2 <sup>nd</sup> ed. 2006).....	123
Alice Woolley et. al, eds., <i>Lawyers' Ethics and Professional Regulation</i> (LexisNexis, 2 <sup>nd</sup> edition, 2012) (excerpt).....	139
Charles Fried, "The Lawyer as Friend: The Moral Foundations of Lawyer-Client Relations" in <i>The Civil Litigation Process</i> , Watson et al., 5 <sup>th</sup> Edition (Emond Montgomery, 1999).....	146
David Luban, "The Adversary System Excuse" in <i>Legal Ethics and Human Dignity</i> (Cambridge University Press, 2007), reprinted in Alice Woolley et. al, eds., <i>Lawyers' Ethics and Professional Regulation</i> .....	152
<b>2. <u>THE LITIGATION PROCESS AND THE RULES OF CIVIL PROCEDURE</u></b>	
<b>2.1 <u>Who Can Litigate? Public Interest Standing; Intervention; Amici Curiae</u></b>	
"Standing" and "Intervention" in Walker and Sossin, <i>Civil Litigation</i> (Irwin, 2010)...	158
<i>Canadian Council of Churches</i> [1992] 1 S.C.R. 236.....	164
<i>Canada (Attorney General) v. Downtown Eastside</i> [2012] SCC 45 .....	168
Intervention, Rule 13 .....	175
Ian Brodie, "Interveners at the Supreme Court of Canada" in <i>Friends of the Court: Privileging of Interest Group Litigants in Canada</i> (State University of New York Press, 2002).....	176
<b>2.2 <u>Where to Litigate? Jurisdiction and Territoriality</u></b>	
<i>Morguard Investments Ltd. v. De Savoye</i> [1990] 3 S.C.R. 1077.....	184
Bill Miller and Christine Haughney, "Old Law Creates Forum for War-Crimes Trials," <i>The Toronto Star</i> , August 13, 2000.....	186
Marta Requejo, "Kiobel: No Role for the United States as World Police," <i>Conflict of Laws.Net</i> , April 19, 2013.....	188
Trevor C. W. Farrow, "Globalization, International Human Rights, and Civil Procedure" 41 <i>Alberta Law Review</i> 671 (2003).....	191



### 2.3 When to Litigate? Limitation Periods; Restorative Justice Dilemmas

<i>Consumers Glass v. Foundation Co. of Canada Ltd.</i> (1985), 51 O.R. (2d) 385 (O.C.A)....	201
Limitations Act, 2002, S.O. 2002, ss. 4-5, 15, 17 .....	204
<i>York Condominium Corp. No. 382</i> , "Time Enough to Sue: Ontario Court of Appeal Interprets the new Limitations Act, 2002 Regime," <i>LexisNexis</i> , 2007.....	206
<i>Cloud v. Canada (Attorney General)</i> (2004), 247 DLR (4 <sup>th</sup> ) 667 (OCA).....	209
<i>Novak v. Bond</i> [1999] 1 S.C.R. 808 .....	212

### 2.4 Complex Litigation and Class Proceedings

<i>Class Proceedings Act</i> , 1992, S.O. 1992, c. 6.....	216
Kirk Makin, "Class-action Suits Explode into 'National Phenomenon'" <i>The Globe and Mail</i> , July 19, 2003.....	222
"Certification" in <i>The Civil Litigation Process</i> , Janet Walker et. al. eds., 7 <sup>th</sup> Ed. (Emond Montgomery, 2010), 873-874.....	224
"Legal Notice of Certificate and Approval of Class Action Settlement" in the Ontario Court of Justice (Court File No. 02-6556-CP).....	225
U.S. District Court Settlement Administrator, "Notice of Class Action Settlement: Refund Option" (2007).....	227
<i>Hollick v. Toronto</i> [2001] 3 S.C.R. 158.....	233
Warren K. Winkler, "Representation & Conflicts of Interests in Class Actions and Other Group Actions," <i>The Globalization of Class Action International Conference</i> , Oxford University, 2007.....	239

### 2.5 Discovery; Privilege and Confidentiality; Conflict of Interest

<i>Rules of Civil Procedure</i> , R.R.O. 1990, Reg. 194, as amended, r.30.....	255
<i>Grossman v. Toronto General Hospital</i> (1983), 146 D.L.R. (3d) 280 (Ont. Gen. Div.....	257
<i>Ontario (Ministry of Environment) v. McCarthy Terault</i> (1992) 9 CELR (NS) 12 (Ont. Prov. Div.).....	260

Gavin MacKenzie, "Is Keeping Secrets in Client's Best Interest?" *Law Times*, Feb. 28, 2000.....263

Erik S. Knutsen, "Secret Settlement in Canada" in *The Civil Litigation Process*, Janet Walker et. al. eds., 7<sup>th</sup> Ed. (Emond Montgomery, 2010), 859-862.....265

Christopher Somerville, "Beware of the Bright Line: Class Action Put Lawyers in Conflict of Interest" *The Litigator*, July 2013.....268

## 2.6 Regulating the Profession, Financing Litigation and Access to Justice

Kirk Makin, "Access to Justice Becoming a Privilege of the Rich, Judge Warns" *Globe and Mail*, Feb. 10, 2011.....273

*McIntyre Estate v. Ontario* (Attorney General) (2002) 61 O.R. (3d) 257 (O.C.A.).....275

Don Butler, "Self-Represented Litigants 'Treated with Contempt' by Many Judges, Study Finds," *Ottawa Citizen*, Jan. 1, 2013.....281

Law Society of Upper Canada, "Report to the Attorney General of Ontario: Pursuant to Section 63.1 of the *Law Society Act*" .....285

Yamri Taddese, "Time to Expand Paralegal Rights?" *Law Times*, April 29, 2013.....288

Poonam Puri, "Financing of Litigation by Third-Party Investors: A Share of Justice?" 36 *Osgoode Hall Law Journal* 515 (1998).....291

Jasminka Kalajdzic et. al., "Justice for Profit: A Comparative Analysis of Australian, Canadian and U.S. Third Party Litigation Funding," 61 *American Journal of Comparative Law* 93 (2013) .....299

Daniel Fisher, "Silicon Valley Sees Gold in Internet Legal Services" *Forbes*, May 10, 2011.....315

Avrom Sher and Simon Thompson, "Tesco Law and Tesco Lawyers: Will Our Needs Change if the Market Develops?" 3 *Onati Socio-Legal Series* 595 (2013).....318

Roderick A. MacDonald, "Access to Justice in Canada Today: Scope, Scale, and Ambitions" .....325

### **3. THE NEW FRONTIERS OF LEGAL PROCESS: REGIONAL, TRANSNATIONAL AND INTERNATIONAL LAW AND JUSTICE**

#### **3.1 Expanding Litigation's Territory**

Joshua Karton, "Global Law: The Spontaneous, Gradual Emergence of a New Legal Order," 17 *Tilburg Law Review* 276 (2013)(excerpt) .....333

Anne-Marie Slaughter, "Judges: Constructing a Global Legal System," in *A New World Order* (Princeton University Press, 2004), 65-103.....337

Adam Liptak, "'We the People' Loses Appeal with People around the World," *New York Times*, Feb. 6, 2012.....357

#### **3.2 Supranational Institutions and International Law Norms: "Supreme" to the Supreme Court of Canada?**

*Lovelace v. Canada* UN GOAR, 36th Sess., Supp. No. 40, UN Doc. A/36/40 (1981)...361

*Baker v. Canada* [1999] 2 S.C.R. 817.....364

